

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

VICTOR P. CAPALDI
Plaintiff

V.

F/V GEORGIE J, her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, it s commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said vessel, *in rem*
Defendant

Civil Action

No. 04-10843

JOINT MOTION TO DISBURSE FUNDS HELD IN REGISTRY OF COURT

Now comes the Plaintiff and Defendant in the above-entitled action and by and through their attorneys respectfully requests that this Honorable Court disburse funds held in Registry of this Court.

As this Court is aware, the above-entitled case has settled. Currently, this Court holds in the Registry of the Court funds from the sale of the F/V GEORGIE J. As part of the settlement agreement, the funds in the Registry of the Court are to be distributed to Plaintiff's attorney, Latti & Anderson LLP. The Plaintiff requests this Honorable Court transfer the funds and/or issue a

check¹ to be transferred and/or deposited into Latti & Anderson IOLTA escrow account for distribution pursuant to the terms of the settlement agreement.

WHEREFORE, the Plaintiff requests this Honorable Court transfer the funds and/or issue a check to be transferred and/or deposited into Latti & Anderson IOLTA escrow account for distribution pursuant to the terms of the settlement agreement.

Respectfully submitted for the
the Plaintiff, Victor P. Capaldi,
by his attorney,

/s/ Carolyn M. Latti
/s/ Carolyn M. Latti
BBO #567-394
David F. Anderson
BBO#560-994
LATTI & ANDERSON LLP
30-31 Union Wharf
Boston, MA 02109
(617) 523-1000

Respectfully submitted
for the Defendant,

/s/ Thomas Muzyka
/s/ Thomas Muzyka, Esquire
Clinton & Muzyka
One Washington Mall, Suite 1400
Boston, MA 02108
(617) 723-9165

Dated: January 24, 2004

¹ If a check is issued, it should be made payable to Victor P. Capaldi and Latti & Anderson LLP, his attorneys.”

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2005, I electronically filed Joint Motion to Disburse Funds Held in Registry of Court with the Clerk of the Court using CM/ECF system which will send notification of such filing(s) to the following:

Thomas Muzyka, Esquire
Clinton & Muzyka
One Washington Mall, Suite 1400
Boston, MA 02108

Respectfully submitted for the
the Plaintiff,

/s/Carolyn M. Latti
Carolyn M. Latti
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109
617-523-1000
danderson@lattianderson.com